

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

MARTY SCOTT FITZGERALD,

Plaintiff

Case No. 3:22-cv-00011-MMD-CSD

ORDER

v.

MARY BAKER, *et al.*,

Defendants

**I. DISCUSSION**

This action is a *pro se* civil rights action filed pursuant to 42 U.S.C. § 1983 by an individual who has been released from the custody of the Nevada Department of Corrections. Plaintiff previously submitted an application to proceed *in forma pauperis* for prisoners. (ECF Nos. 1-2, 5.) He subsequently filed a notice of change of address indicating that he would be released from incarceration on June 1, 2022. (ECF No. 12.) The Court now directs Plaintiff to file an application to proceed *in forma pauperis* by a non-prisoner within thirty (30) days from the date of this order or pay the full filing fee of \$402. This action will not proceed unless and until this matter is resolved.

**II. CONCLUSION**

For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed *in forma pauperis* for prisoners (ECF Nos. 1-2, 5) is DENIED as moot.

IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

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1 IT IS FURTHER ORDERED that within thirty (30) days from the date of this order,  
2 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis* for  
3 non-prisoners; or (2) pay the full filing fee of \$402.

4 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,  
5 dismissal of this action may result.

6 DATED: June 23, 2022.

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8 UNITED STATES MAGISTRATE JUDGE  
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